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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,902	01/03/2001	Frido Garritsen	03935P008	5053

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EXAMINER

NGUYEN, KIMBINH T

ART UNIT	PAPER NUMBER
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2628

DATE MAILED: 09/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/755,902

Applicant(s)

GARRITSEN, FRIDO

Examiner

Kimbinh T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-10,13,14,17,18,20-24 and 31-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-10,13,14,17,18,20-24,31-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/26/06 has been entered.

2. Claims 7-10, 13, 14, 17, 18, 20-24, 31-61 are pending in the application.

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 13, 14, 40-43, 55 and 60 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter. The claims disclose 'A machine-readable medium containing a plurality of executable instructions' is a nonfunctional descriptive material. When functional descriptive material is recorded on some "computer-readable medium" it becomes structurally and functionally interlaced to the medium and will be statutory.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-10, 13, 14, 17, 18, 20-24, 31-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al. (4,573,199) in view of Dawkins (6,384,827) and in view of IBM Technical Disclosure Bulletin (May 1993).

**Claims 7-10**, Bril et al. discloses simulating the second font based on the first font (col. 7, line 1 through col. 8, line 67). Bril et al. does not teach stripping a top line and a bottom line from the first font; however, Dawkins discloses automatically stripping (recurse through each of the five lines of text and the routine of fig. 3) a top line and a bottom line from the first font (truncate top half and truncate bottom half; figs. 1 and 3; col. 1, lines 53-54; col. 2, lines 66-67; col. 3, lines 8-9, line 66; col. 4, lines 4-5, lines 31-33); it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate truncating a top line and a bottom line of font taught by Dawkins into the method of font generating of Bril, because it would provide a method of generation a display to enable a user to be able to easily navigate a complex structure on a small display screen; Bril et al. and Dawkins teach the pixel font size; however, IBM Technical Disclosure Bulletin teaches simulating the second font based on the first font (using BIOS Font changer for 640 PELS into memory the dot font pattern of width X height, wherein the first font comprises an  $n \times (m+2)$  font (9 X16; 8 X 16) and the second font comprises an  $n \times m$  font (9 X14; 8 X 14); copying the  $n \times (m+2)$  font from BIOS into memory to simulate the second font (a copy of the system ROM and is write protected to emulate ROM, and copying 8X16 and 8X14 dot font pattern in the

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ROM over the 9X16 and 9X14 font pattern in the Shadow RAM). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the replacing the font pattern and using BIOS to emulate the second font taught by IBM Disclosure Bulletin into the method of Dawkins for reducing the dot font size of text image or character, because replacing the font pattern data is accomplished by enabling write operation to the Shadow RAM, which normally contains a copy of the system ROM and is write protected to emulate ROM, it would result in characters separated, this method has the advantage of not requiring modification to the system ROM nor program (reducing memory space) that make use of the 9X16 and 9X14 dot font pattern (larger font size), see IBM Disclosure.

**Claims 13 and 14**, IBM Disclosure discloses a machine-readable medium (an IBM Personal Computer compatible system, using the system ROM and RAM; m=14 (8X14 and 9X14). In addition, the rationale provided in the rejection of claims 7-10 are incorporated herein.

**Claims 17, 18, 31-33**, the rationale provided in the rejection of claims 7, 13 and 14 are incorporated herein.

**Claim 34**, the rationale provided in the rejection of claim 10 is incorporated herein.

**Claims 50-53**, Dawkins discloses the top line and the bottom line are stripped unconditionally from the first font to simulate the second data (col. 3, lines 5-9).

**Claims 20, 35, 40 and 45**, the rationale provided in the rejection of claim 7 is incorporated herein. In addition, IBM Disclosure discloses a BIOS memory for storing a

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first font (the drawing includes Original Shadow RAM image: 8X16 dot font image) and instructions (BIOS code); a processor coupled to the BIOS (font change program), the processor is configured to emulate a second font based on the first font by automatically stripping a top line and a bottom line from the first font in response to the instructions (a LCD is connected to the conventional analog video port of the Video Graphics Array in an IBM personal Computer compatible system (processor or font change program) to emulate ROM, and copying 8X16 and 8X16 (second font) dot font pattern in the ROM over the 9X16 and 9X14 dot font pattern (utilizing the first font) in the shadow RAM. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include this feature disclosed by IBM Disclosure into the method of generating font of Bril for using BIOS code which coupled to processor or font change program to emulate the second font (8X16) by using the first font (9X16), because it would provide the results in characters separated, the method has the advantage of not requiring modification to the system ROM nor programs that make use of the 9X16 and 9X14 dot font pattern (reducing the space memory).

**Claim 22**, IBM Disclosure discloses the first memory coupled to the processor, the processor copying the first font from the BIOS memory into the first memory to emulate the second font (see the drawing of the IBM Disclosure and the rejection of claim 20 is incorporated hereto).

**Claim 21**, Dawkins discloses the processor emulating the second font by stripping a portion from the first font in response to receiving an access request for the second font (col. 3, lines 5-9).

**Claims 23 and 24**, Dawkins discloses the portion comprises a top line and a bottom line of an  $nx(m+2)$  font (larger size); the second font comprises an  $nxm$  font (smaller size), see col. 3, lines 1-9.

**Claims 36, 41, 46**, the rationale provided in the rejection of claim 10 is incorporated herein.

**Claims 37-39, 42-44, 47-49**, Dawkins discloses stripping a portion from the first font (use small font, truncate top half; fig. 3, # 53); the portion comprises a top line of each character of the first font and a bottom line of each character of the first font (fig. 1); the second font is of two lines of pixels shorter than the first font (applying another font, smaller than the one font; see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the truncating an upper part of a top line and truncating a lower part of a bottom line as taught by Dawkins into the generating font of Bril for emulating the second font, because it would reduce font size, i.e., a reduced quality font, the spare screen resource provided by the reduced quality font is used to display additional menu items at the top and bottom of the display (col. 2, lines 62-66).

**Claims 54-61**, Dawkins teaches using all lines of the first font except the top line and the bottom line to display the second font (col. 4, lines 31-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate truncating an upper part of the top line of the lines and truncating a lower part of a bottom line of the lines and displaying the lines on the display screen taught by Dawkin into a method generating font of Bril, because it would provide a method of

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generating a display to enable the user to be able to easily navigate a complex menu structure on a small display screen (abstract).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimbinh T. Nguyen whose telephone number is (571) 272-7644. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Friday from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached at (571) 272-7664. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 11, 2006



**KIMBINH T. NGUYEN**  
**PRIMARY EXAMINER**